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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF ARIZONA**

8 United States of America,
9 Plaintiff,

CV 09-8093-PCT-JAT

10 v.

ORDER

11 Roger Haneses,
12 Defendant,
13 and
14 Roger's Spec Homes LLC,
15 Interested Party.

16
17 The United States of America having filed a Motion for a Charging Order against
18 Defendant Roger Haneses's interest in Roger's Spec Homes LLC, and good cause
19 appearing:

20 **IT IS ORDERED** that pursuant to authority bestowed by Title 18 U.S.C. §
21 3613(a) (2012) and through A.R.S. § 29-655(A) (2016), Defendant Roger Haneses's
22 membership interest in Roger's Spec Homes LLC, is hereby charged for payment of the
23 unsatisfied amount of the Judgment entered in this action until the Judgment is paid in
24 full. *See Merch. Transaction Sys. v. Nelcela, Inc.*, No. CV-02-1954-PHX-FJM (LOA),
25 2011 U.S. Dist. LEXIS 117404, at *10-12 (D. Ariz. Sept. 6, 2011) (setting forth pertinent
26 information with regards to charging orders entered under Arizona law).

27 **IT IS FURTHER ORDERED** that Roger's Spec Homes LLC, shall promptly
28 deliver any and all distributions, funds, profits, proceeds of sale, payments and


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1 disbursements owed to Defendant Roger Hanes, over which it has control or possession,
2 now or in the future, to the Clerk of the Court for the District of Arizona for application
3 to the Judgment imposed in this case, No. CV 09-8093-PCT-JAT, United States v. Roger
4 Hanes, until all financial liability imposed therein are paid in full. Payments shall be
5 made to the following: United States Attorney, District of Arizona FLU, 405 West
6 Congress, Suite 4900, Tucson, Arizona 85701, with case notation, Case Number:
7 CV 09-8093-PCT-JAT.

8 **IT IS FURTHER ORDERED** that Roger's Spec Homes, LLC shall report to the
9 United States Attorney's Office, by the first day of each calendar month, all distributions
10 made on account of membership interests in the preceding month.

11 **IT IS FURTHER ORDERED** that this Charging Order shall be treated as a lien
12 upon the interests of Defendant Roger Hanes in Roger's Spec Homes LLC, in favor of
13 the United States, and may be filed and treated like any other lien under 18 U.S.C. §
14 3613(c).

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16 Dated this 30th day of September, 2016.

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21 James A. Teilborg
22 Senior United States District Judge
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